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JUL 09 2007

**PATENT**

Practitioner's Docket No. D-1093

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Appellants: **Frederick, et al.**Application No.: **09/086,857**Filed: **May 29, 1998**Title: **System For Tracking And Dispensing  
Medical Items From Environmentally  
Controlled Storage Area**

Confirmation No. 8855

Previous Appeal No.: 2005-2434

Art Unit 3653

Examiner Michael E. Butler

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 41.31)**

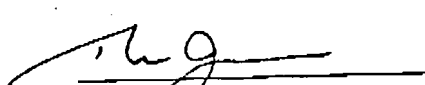
Appellants hereby request reinstatement of their appeal pursuant to 37 C.F.R. § 41.31. Appellants hereby appeal to the Board the decision of the Primary Examiner, mailed April 9, 2007, regarding all unallowed claims (including rejected claims 1-50).

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.6(d)****FACSIMILE**

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (571) 273-8300.

Date: July 9, 2007  
Ralph E. Jocke

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**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity	\$500.00
Previously paid Notice of Appeal fee	\$310.00
Notice of Appeal fee due	\$190.00

**3. EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

A total fee (\$310) has already been paid for in a previously filed Notice of Appeal(s). If necessary, please apply the previously paid fee herein.

The total fee due is:  
Additional Notice of Appeal fee \$ 190.00

**TOTAL FEE DUE \$ 190.00****5. FEE PAYMENT**


The Commissioner is authorized to charge any necessary fee associated with the filing of this Notice of Appeal and any other fee due to Deposit Account No. 10-0637.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, this is a request therefor and to charge Deposit Account No. 10-0637.

If any additional fee for claims is required, charge Deposit Account No. 10-0637.

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(Notice of Appeal for 09/193,787 -- page 2 of 2)

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a legal professional association

Ralph E. Jocke  
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TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Art Unit 3653  
Commissioner for Patents  
U.S. Patent and Trademark Office

FAX NUMBER: (571) 273-8300

DATE: July 9, 2007

SENDER: Ralph E. Jocke, Esq.

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COMMENTS: Please refer to the attached Notice of Appeal for Application 09/086,857 (D-1093).

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